

RESOLUTION NO. 07-42

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA ESTABLISHING ITS INTENT TO REIMBURSE CERTAIN PROJECT COSTS INCURRED WITH PROCEEDS OF FUTURE TAX-EXEMPT FINANCING FROM THE FLORIDA MUNICIPAL LOAN COUNCIL OR OTHER OBLIGATIONS; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Hialeah, Florida has determined that a critical need exists to construct a reverse osmosis plant ("Project") to provide a new water source for Hialeah Heights and other new and expanded uses within the City and to enable the City to utilize a stable water source and a more controlled water rate structure in the future than would be if the City were to continue purchasing all of its water from Miami-Dade County.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: Authority.

This resolution is adopted pursuant to the provisions of the Florida Construction, Chapter 166, Florida Statutes and other applicable provisions of law.

Section 3: Declaration of Intent.

The City of Hialeah, Florida hereby expresses its intention to be reimbursed from proceeds of a future tax-exempt financing from the Florida Municipal Loan Council or

other obligations for capital expenditures to be paid by the City in connection with the planning, design and construction of the Project. Pending reimbursement, the City expects to use funds on deposit in its Water and Sewer Utility Fund and other funds legally available to pay a portion of the cost of the Project. It is not reasonably expected that the total amount of debt to be incurred by the City to reimburse itself for expenditures paid with respect to the Project will exceed \$180,000,000. This resolution is intended to constitute a "declaration of official intent" within the meaning of Section 1.150-2 of the Income Tax Regulations.

Section 4: Severability.

If any one or more of the provision of this resolution shall for any reason be held illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision had not been contained therein.

Section 5: Repealing Clause.

All resolutions or orders and parts thereof in conflict herewith to the extent of such conflicts, are hereby superseded and repealed.

Section 6: Effective Date.

This resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the

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Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 10th day of April, 2007.



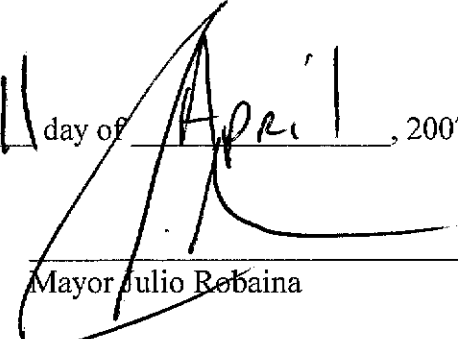
Esteban Bovo
Council President

Attest:



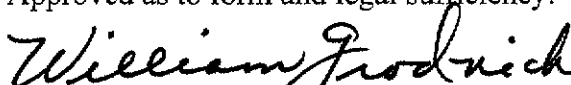
Rafael E. Granado, City Clerk

Approved on this 11 day of April, 2007.



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers Bovo, Caragol, Casals-Muñoz, Gonzalez, Hernandez, Miel and Yedra voting "Yes".